

SHER TREMONTE LLP

January 27, 2025

BY ECF

The Honorable Naomi Reice Buchwald
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *McKinney v. Combs et al.*, 24-CV-03931

Dear Judge Buchwald:

We represent the Combs Defendants¹ in the above-captioned case and write, further to the Combs Defendants' pending Motion to Dismiss the Complaint (ECF Nos. 32–36, 38), to respectfully bring to the Court's attention a decision entered last week by Judge Kaplan in the United States District Court for the Southern District of New York in *Parker v. Alexander et al.*, 24-cv-4813 (LAK) (S.D.N.Y. Jan. 22, 2025). In *Parker*, Judge Kaplan dismissed as time-barred the plaintiff's claim for violation of the New York City Gender-Motivated Violence Act ("VGM") which (like McKinney's claim here) was filed beyond the VGM's seven-year statute of limitations, holding that the VGM's revival window on which the plaintiff relied is preempted by the New York State's Child Victims Act (the "CVA") and the Adult Survivors Act (the "ASA"). A copy of Judge Kaplan's decision in *Parker* is attached hereto as Exhibit A. We respectfully submit that the *Parker* decision further supports granting the Combs Defendants' pending Motion to Dismiss in the instant case.

Respectfully submitted,

/s/ Erica A. Wolff

Erica A. Wolff
Michael Tremonte
Katie Renzler

cc: All Counsel of Record via ECF

¹ The "Combs Defendants" include Sean Combs, Bad Boy Entertainment LLC (named incorrectly as Bad Boy Entertainment LLC d/b/a Bad Boy Records), Bad Boy Entertainment Holdings, Inc., Sean John Clothing LLC, and Daddy's House Recordings, Inc.